

### REMARKS

This application has been reviewed in light of the Office Action dated June 16, 2008. Claims 29 and 33-37 are presented for examination, of which Claims 29 and 33 are independent form. Claims 29 and 33 have been amended to define still more clearly what Applicant regards as his invention. Favorable reconsideration is respectfully requested.

In the outstanding Office Action, Claims 29, 33, 35 and 37 were rejected under 35 U.S.C. § 103(a) as being obvious from U.S. Patent 5,978,557 (Kato) in view of U.S. Patent 6,901,057 (Idehara), and Claims 34 and 36 were rejected under Section 103(a) as being obvious from those patents in view of U.S. Patent 5,513,839 (Green).

As discussed in the specification and previous Amendments, the present invention relates to an image processing apparatus (hereafter “server apparatus” for brevity) connected to a combination of color printers and monochromatic printers as well as a plurality of host computers (fig. 1).

The server apparatus (unit 100) (according to the second embodiment, which is a slight variation of the first one) collects printer information regarding the color functionality – printing black and white only or printing colors – and the paper ejection functionality – no special ejection, shifting, placing into a sorting bin, and other placement/organization techniques. Upon receiving a print job from a host computer, for each page of the print job, the server apparatus determines whether the page contains colors and what the page number is. It then sends the raw print data of the page with a control command (incorporated into the print information header, for example) to an appropriate printer (or its image processing apparatus, unit 110) – a color printer equipped with the

ejection functionality if the page has colors and a monochromatic printer equipped with the ejection functionality otherwise (paragraph [0061], for example). The control command specifies how to perform the ejection – if the current page number does not immediately succeed the page number of the last page sent to the printer, the sheet of printed paper should be ejected to a different position – shifted, placed into a new sorter bin, etc. Upon processing the raw print data which incorporates the ejection command, the printer will print the given page and eject it at the appropriate position.

As the server apparatus is external to a printer and communicates with a printer only through raw print data including an ejection command readily to be processed by an ordinary (but appropriate with respect to the color functionality and paper ejection functionality) printer, the present invention does not require any modification of a printer. Furthermore, since the server apparatus determines what kind of ejection functionality a printer has and generates an ejection command accordingly, the present invention accommodates any type of ejection functionality.

Claim 29 recites, among other features, “A server apparatus connected to a color printer and a monochromatic printer, said server apparatus comprising... an obtaining unit that obtains information about what kind of paper ejection function is provided in the color printer and in the monochromatic printer; and an adding unit that adds, to the print data to be output by said output unit, an ejection command, based on the ejection function information obtained by said obtaining unit...”

Applicant submits that the features recited above are not disclosed or taught in *Kato* and *Idehara*, considered separately or in any permissible combination. *Kato* addresses printer selection with respect to the color functionality but does not concern the

paper ejection functionality. It means that the obtaining unit and the adding unit of Claim 29 are missing from *Kato*.

*Idehara* does not remedy these deficiencies, either. This is because the *Idehara* system appears to assume an implementation of the paper ejection functionality via sorter bins (*see* col. 2, lines 8-11, of *Idehara*, for example), thereby never attempting to find out what type of paper ejection functionality is available. This is also because it contains a special interface between a CPU and the sorter, where the CPU, in addition to serving as an image processing unit (*see* col. 3, lines 5-7), directly controls the sorter to effect a change of ejection position (*see* col. 3, lines 15-16). The system is not believed to rely on the ordinary processing of the raw print data to effect a change of ejection position in the sorter without the CPU's direct control over the sorter.

The portion of *Kato* cited in paragraph 5 of the Office Action as disclosing the obtaining unit (and the portion headed "Response to Arguments" addressing point (b)) discusses merely *sending the raw print data to an appropriate* (color or black-and-white) *printer*. It is not clear to Applicant how this concerns the "paper ejection functionality" – the placement/organization of *a sheet of printed paper ejected out of a printer* – as recited in Claim 29.

While conceding that *Kato* does not explicitly disclose the adding unit of Claim 29, the Office Action states in the portion headed "Response to Arguments" addressing points (a) and (c) (and paragraph 6) that the color flag information and the page insertion information can serve as ejection command information. As explained previously, the color flag information, which indicates whether a page contains color is not believed to involve the paper ejection functionality of a printer.

In addition, the paper insertion information, which is used in the Office Action to refer to a user's selection of a printer which as a result will print replacement pages to indicate where to insert the sheets of paper printed by the other printer, at most leads to *a command to generate a replacement page*, which will be ejected in an ordinary way, in the selected printer. While the page insertion information may be relevant to the organization of sheets of printed paper, it does not involve *an ejection command* based on information about the paper ejection functionality of a printer, which *determines exactly how (at which ejection position) a sheet of printed paper is to be ejected out of a printer*.

One portion of *Idehara* cited in paragraph 6 of the Office Action as disclosing the adding unit involves the use of index data to determine whether a page of raw print data contains colors, which apparently does not concern an ejection command. Another portion cited involves the use of the paper ejection functionality to place a sheet of printed paper in a specific sorter bin based on the page number information. Specifically, the CPU activates the sorter (*see col. 3, lines 25-16 of Idehara*) and change the bin for receiving printouts to the next bin. Therefore, as part of the printer (fig. 1), the CPU appears to directly instruct the sorter how to act without including an ejection command in the raw print data, which can be readily processed without requiring a special interface between the CPU and the sorter.

For all these reasons, it is believed to be clear that Claim 29 is allowable over *Kato* and *Idehara*, taken separately or in any permissible combination, and that corresponding method Claim 33 is also allowable over those patents.

A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as

references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or the other of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and allowance of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

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